

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00005

Louis Dewayne Shepherd,
Petitioner,

v.

Director, TDCJ-CID,
Respondent.

ORDER

Petitioner Louis Shepherd, an inmate of the Texas Department of Criminal Justice proceeding pro se, filed this petition for the writ of habeas corpus challenging the legality of his confinement. Doc. 1. The case was referred to United States Magistrate Judge John D. Love. Doc. 2.

Petitioner challenges a 2019 conviction for aggravated assault with a deadly weapon, for which he received deferred adjudication probation which was later revoked. Upon revocation, he was sentenced to eleven years in prison.

The respondent has filed an answer arguing that the petition is barred by the statute of limitations. Doc. 7. Petitioner did not file a reply to the answer.

After review of the pleadings, the magistrate judge issued a report recommending that the petition be dismissed with prejudice as barred by limitations. Petitioner received a copy of this report on September 27, 2023, but has filed no objections.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Petitioner's petition for the writ of habeas corpus is dismissed with prejudice

as barred by the statute of limitations. A certificate of appealability is denied sua sponte.

So ordered by the court on November 9, 2023.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge